

UNITED STATES DISTRICT COURT
IN THE WESTERN DISTRICT OF MICHIGAN

EVANGELINA JUAREZ RAMIREZ,

Plaintiff,

vs.

RYAN L. CRAWFORD and
MID AMERICA CONTRACTING INC.

Defendants.

Civil Action No. _____

Hon. _____

Kent County Circuit Court 19-10926-NI
Hon. Mark A. Trusock

JOHNSON LAW, PLC
Samuel H. Pietsch (P30173)
Ven R. Johnson (P39219)
Anthony P. Sinishtaj (p82128)
Attorneys for Plaintiff
535 Griswold St, Suite 2632
Detroit, MI 48226
(313) 324-8300; (313) 324-8301 (fax)

Ray H. Littleton II (P69733)
Alexander J. Thibodeau (P82939)
Foster, Swift, Collins & Smith, P.C.
Attorneys for Defendant
1700 East Beltline, N.E., Suite 200
Grand Rapids, MI 49525-7044
(248) 539-9903

EXHIBIT A

DEFENDANT'S NOTICE OF REMOVAL TO FEDERAL COURT

Approved, SCAO

Original - Court
1st copy - Defendant2nd copy - Plaintiff
3rd copy - Return

STATE OF MICHIGAN JUDICIAL DISTRICT JUDICIAL CIRCUIT COUNTY PROBATE	SUMMONS	CASE NO. 19- 10926 -NI
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Court address

180 Ottawa Ave. NW, Grand Rapids, MI 49503

Court telephone no.

(616) 632-5480

Plaintiff's name(s), address(es), and telephone no(s).

EVANGELINA JUAREZ

Defendant's name(s), address(es), and telephone no(s).

RYAN L. CRAWFORD

737 Eckert Ln.
Columbia, IL 62236

Plaintiff's attorney, bar no., address, and telephone no.

 JOHNSON LAW, PLC
 BY: SAMUEL H. PIETSCH (P30173)
 535 Griswold St., Suite 2632
 Detroit, MI 48226
 (313) 324-8300

 MARK A. TRUSOCK
 (733150)

Instructions: Check the items below that apply to you and provide any required information. Submit this form to the court clerk along with your complaint and, if necessary, a case inventory addendum (form MC 21). The summons section will be completed by the court clerk.

Domestic Relations Case

- ☐ There are no pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint.
- ☐ There is one or more pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint. Attached is a completed case inventory (form MC 21) listing those cases.
- ☐ It is unknown if there are pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint.

Civil Case

- ☐ This is a business case in which all or part of the action includes a business or commercial dispute under MCL 600.8035.
- ☐ MDHHS and a contracted health plan may have a right to recover expenses in this case. I certify that notice and a copy of the complaint will be provided to MDHHS and (if applicable) the contracted health plan in accordance with MCL 400.106(4).
- ☒ There is no other pending or resolved civil action arising out of the same transaction or occurrence as alleged in the complaint.
- ☐ A civil action between these parties or other parties arising out of the transaction or occurrence alleged in the complaint has

 been previously filed in ☐ this court, ☐ _____ Court, where

it was given case number _____ and assigned to Judge _____.

 The action ☐ remains ☐ is no longer pending.

Summons section completed by court clerk.

SUMMONS**NOTICE TO THE DEFENDANT:** In the name of the people of the State of Michigan you are notified:

1. You are being sued.
2. **YOU HAVE 21 DAYS** after receiving this summons and a copy of the complaint to **file a written answer with the court** and serve a copy on the other party or **take other lawful action with the court** (28 days if you were served by mail or you were served outside this state).
3. If you do not answer or take other action within the time allowed, judgment may be entered against you for the relief demanded in the complaint.
4. If you require special accommodations to use the court because of a disability or if you require a foreign language interpreter to help you fully participate in court proceedings, please contact the court immediately to make arrangements.

Issue date DEC 11 2019	Expiration date* MAR 11 2020	Court clerk LISA POSTUMUS IVANUS
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*This summons is invalid unless served on or before its expiration date. This document must be sealed by the seal of the court.

SUMMONS

Case No. 19-

PROOF OF SERVICE

TO PROCESS SERVER: You are to serve the summons and complaint not later than 91 days from the date of filing or the date of expiration on the order for second summons. You must make and file your return with the court clerk. If you are unable to complete service you must return this original and all copies to the court clerk.

CERTIFICATE / AFFIDAVIT OF SERVICE / NONSERVICE☐ **OFFICER CERTIFICATE**

OR

☐ **AFFIDAVIT OF PROCESS SERVER**

I certify that I am a sheriff, deputy sheriff, bailiff, appointed court officer, or attorney for a party (MCR 2.104[A][2]), and that: (notarization not required)

Being first duly sworn, I state that I am a legally competent adult who is not a party or an officer of a corporate party, and that: (notarization required)

- ☐ I served personally a copy of the summons and complaint.
☐ I served by registered or certified mail (copy of return receipt attached) a copy of the summons and complaint, together with _____

List all documents served with the summons and complaint

_____ on the defendant(s):

Defendant's name	Complete address(es) of service	Day, date, time

- ☐ I have personally attempted to serve the summons and complaint, together with any attachments, on the following defendant(s) and have been unable to complete service.

Defendant's name	Complete address(es) of service	Day, date, time

I declare under the penalties of perjury that this proof of service has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

Service fee	Miles traveled	Fee	
\$		\$	
Incorrect address fee	Miles traveled	Fee	TOTAL FEE
\$		\$	\$

Signature _____

Name (type or print) _____

Title _____

Subscribed and sworn to before me on _____, _____ County, Michigan.
 Date

My commission expires: _____ Signature: _____
 Date Deputy court clerk/Notary public

Notary public, State of Michigan, County of _____

ACKNOWLEDGMENT OF SERVICE

I acknowledge that I have received service of the summons and complaint, together with _____ Attachments

_____ on _____
 Day, date, time

_____ on behalf of _____
 Signature

Approved, SCAO

Original - Court
1st copy - Defendant2nd copy - Plaintiff
3rd copy - Return

STATE OF MICHIGAN JUDICIAL DISTRICT JUDICIAL CIRCUIT COUNTY PROBATE 17th	SUMMONS	CASE NO. 19-10926 -NI
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Court address

180 Ottawa Ave. NW, Grand Rapids, MI 49503

Court telephone no.

(616) 632-5480

Plaintiff's name(s), address(es), and telephone no(s).

EVANGELINA JUAREZ

Defendant's name(s), address(es), and telephone no(s).

MID AMERICA CONTRACTING INC

 c/o CSC - Lawyers Incorporating Service Company
 601 Abbot Rd.
 East Lansing, MI 48823

Plaintiff's attorney, bar no., address, and telephone no.

 JOHNSON LAW, PLC
 BY: SAMUEL H. PIETSCH (P30173)
 535 Griswold St., Suite 2632
 Detroit, MI 48226
 (313) 324-8300

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4. If you require special accommodations to use the court because of a disability or if you require a foreign language interpreter to help you fully participate in court proceedings, please contact the court immediately to make arrangements.

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SUMMONS

Case No. 19-

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OR

☐ **AFFIDAVIT OF PROCESS SERVER**

I certify that I am a sheriff, deputy sheriff, bailiff, appointed court officer, or attorney for a party (MCR 2.104[A][2]), and that: (notarization not required)

Being first duly sworn, I state that I am a legally competent adult who is not a party or an officer of a corporate party, and that: (notarization required)

- ☐ I served personally a copy of the summons and complaint.
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- ☐ I have personally attempted to serve the summons and complaint, together with any attachments, on the following defendant(s) and have been unable to complete service.

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I declare under the penalties of perjury that this proof of service has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

Service fee	Miles traveled	Fee	
\$		\$	
Incorrect address fee	Miles traveled	Fee	TOTAL FEE
\$		\$	\$

Signature _____

Name (type or print) _____

Title _____

Subscribed and sworn to before me on _____, _____ County, Michigan.

 Date

My commission expires: _____ Signature: _____
 Date Deputy court clerk/Notary public

Notary public, State of Michigan, County of _____

ACKNOWLEDGMENT OF SERVICE

I acknowledge that I have received service of the summons and complaint, together with _____
 Attachments

_____ on _____
 Day, date, time

_____ on behalf of _____
 Signature

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF KENT

EVANGELINA JUAREZ RAMIREZ,

Plaintiff,

v

RYAN L. CRAWFORD and MID AMERICA
CONTRACTING INC,

Defendants

10926
Case No. 19- -NI
Judge: MARK A. TRUSOCK
(P38156)

JOHNSON LAW, PLC.
BY: SAMUEL H. PIETSCH (P30173)
VEN R. JOHNSON (P39219)
ANTHONY P. SINISHTAJ (P82128)
Attorneys for Plaintiffs
535 Griswold St., Suite 2632
Detroit, MI 48226
(313) 324-8300; (313) 324-8301 – fax
spietsch@venjohnsonlaw.com
sjuncai@venjohnsonlaw.com

There is no other pending or resolved civil action arising out of the transaction or occurrence alleged in the Complaint.

COMPLAINT AND JURY DEMAND

NOW COMES Plaintiff, by and through her Attorneys, JOHNSON LAW, PLC, and complaining of the above-captioned Defendants respectfully represent unto this Honorable Court as follows:

1. The events complained of herein took place in the County of Kent and State of Michigan.

2. At all times herein, Plaintiff was a resident of the County of Kent and State of Michigan.

3 At all times herein, Defendant RYAN L. CRAWFORD was a resident of the State of Illinois.

4. That all times herein, Defendant MID AMERICA CONTRACTING INC was a foreign corporation in the State of Illinois, and was doing business in the County of Kent and State of Michigan.

5. The amount alleged to be in controversy herein exceeds the sum of \$25,000.00, exclusive of interest, costs and attorney fees.

6. Jurisdiction and venue are therefore properly vested within this Court.

7. On or about November 1, 2018, at approximately 10:20 a.m., Defendant RYAN L. CRAWFORD was the permissive user of a 2014 GMC Sierra pickup truck bearing vehicle registration number 2122749B

8. The vehicle described in the preceding paragraph was owned by, or otherwise under the control of, Co-Defendant MID AMERICA CONTRACTING INC.

9. Defendant RYAN L. CRAWFORD had the expressed consent, implied consent, or both, of Co-Defendant MID AMERICA CONTRACTING INC to operate the vehicle described in the preceding paragraph.

10. Defendant RYAN L. CRAWFORD, at all times herein, was the agent, servant or employee of Co-Defendant MID AMERICA CONTRACTING INC.

11. On November 1, 2019, at approximately 10:20 a.m., Defendant RYAN L. CRAWFORD, while operating the motor vehicle described above westbound on Pearl Street at Mount Vernon Avenue in Grand Rapids, Michigan, ran the red light applicable

to his path of travel, and collided with the vehicle being driven by Plaintiff southbound on Mount Vernon Ave., which had the right-of-way.

12. Defendant RYAN L. CRAWFORD violated duties of care owed toward Plaintiff in ways including, but not necessarily limited to, the following:

- a. failed to yield the right-of-way to Plaintiff;
- b. failed to obey the traffic control device regulating his path of travel;
- c. operated his vehicle in a careless and reckless manner;
- d. operated his vehicle in a grossly negligent manner, in willful disregard for the safety of members of the public, such as Plaintiff;
- e. operated his vehicle at a speed greater than that which would permit it to be stopped within an assured clear distance ahead;
- f. operated his vehicle at an excessive speed; and
- g. failed in the performance of other duties that may become known during discovery of this matter.

13. Co-Defendant MID AMERICA CONTRACTING INC violated duties of care owed toward Plaintiff in ways including, but not necessarily limited to, the following:

- a. negligently entrusted its vehicle to Defendant RYAN L. CRAWFORD;
- b. is responsible for the negligence of its permissive user, according to MCL 257.401;
- c. is responsible for the negligence of its agent, servant or employee, under the Doctrine of *Respondeat Superior*; and
- d. failed in the performance of other duties that may become known during discovery of this matter.

14. As a direct and proximate result of these breaches of duty by the Defendants, Plaintiff suffered damages and injuries including, but not necessarily limited to, the following:

- a. serious impairment of body function;
- b. permanent serious disfigurement;
- c. traumatic brain injury;
- d. economic losses that may exceed no-fault reimbursement maximums;
- e. great physical and emotional pain and suffering;
- f. temporomandibular joint dysfunction;
- g. damage to the bone and supporting structures of the left wrist;
- h. loss of income and earning capacity;
- i. mental anguish; and
- j. other damages which may become known during the course of discovery in this matter.

WHEREFORE, Plaintiff demands judgment against Defendants for whatever amount above the sum of \$25,000.00 to which she is found to be entitled, exclusive of interest, costs and attorney fees.

Respectfully submitted,

JOHNSON LAW, PLC

BY: 

SAMUEL H. PIETSCH (P30173)
VEN R. JOHNSON (P36579)
ANTHONY P. SINISHTAJ (P82128)
Attorneys for Plaintiff

Dated: December 9, 2019

DEMAND FOR JURY

NOW COMES Plaintiff, by and through his attorneys, JOHNSON LAW, PLC, and hereby demands a trial by jury.

Respectfully submitted,

JOHNSON LAW, PLC

BY: 

SAMUEL H. PIETSCH (P30173)
VEN R. JOHNSON (P36579)
ANTHONY P. SINISHTAJ (P82128)
Attorneys for Plaintiff

Dated: December 9, 2019

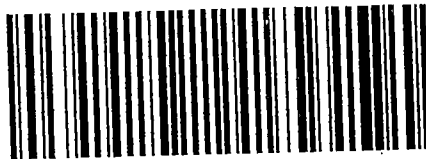
JOHNSON LAW, PLC
ATTORNEYS AND COUNSELORS
Buhi Building, 535 Griswold Street, Suite 2632
Detroit, Michigan 48226

CERTIFIED MAIL

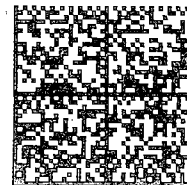
RETURN RECEIPT REQUESTED

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

CERTIFIED MAIL®



7015 1520 0001 1539 5715



US POSTAGE

\$ 06.95

First-Class

Mailed From 48226

12/20/2019

032A 0061811702

Mid America Contracting Inc.
c/o CSC – Lawyers Incorporating Service Company
601 Abbot Rd.
East Lansing, MI 48823

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4882383366 0007

